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Crl.OP.No.12648 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.12648 of 2025

1. Gandhi Kumar

2. Sathiyarani ... Petitioner(s) /Accused 1 & 2

Vs.

The State
represented by the Inspector of Police,
W-34, AWPS Ennore Police Station,
Tiruvallur. ... Respondent(s)/ Complainant
Crime No.11 of 2025

Prayer: Criminal Original Petition filed under Section 483 of BNSS 2023,
to enlarge the petitioners on bail in Crime No.11 of 2025 is pending on the
file of the W-34, AWPS Ennore Police Station, Tiruvallur.

For petitioner(s) : Mr.D.Prasanna Kumar

For Respondent(s) : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



Crl.OP.No.12648 of 2025

WEB COPY

ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 11.03.2025, seeking bail in Crime No.11 of 2025 registered for the offences under Sections 316, 318(2) , 351(2) and 77 of BNS, 2023 r/w Section 66E of the IT Act, 2000 and Section 4 of the TNPHW Act, 2002.

2. It is the case of the prosecution that the second accused borrowed a sum of Rs.17,00,000/- from the defacto complainant with a promise to repay it within a year, but failed to do so; that the first accused, her husband, recorded a private video of the defacto complainant, and both the accused threatened to upload the video on social media if she continued to demand the money. Hence, the case.

3. The learned counsel appearing for the petitioners submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for bail to the petitioners.



Crl.OP.No.12648 of 2025

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of bail to the petitioners, reiterated the prosecution case.

5. Considering the nature of allegations, the period of incarceration, and since further custody of the petitioners is not required, this Court is inclined to grant bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Thiruvottiyur**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent Police,



Crl.OP.No.12648 of 2025

everyday at 10.30 a.m., until further orders;

WEB COPY [c] the petitioners shall not abscond either during investigation or trial;

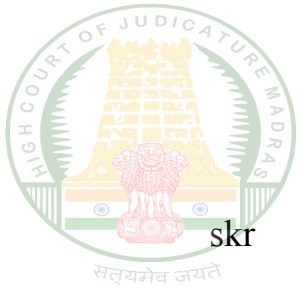
[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

24.04.2025

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Internet: Yes/No



Crl.OP.No.12648 of 2025

WEB COPY

To

1. Inspector of Police,
W-34, AWPS Ennore Police Station, Tiruvallur.
2. The Public Prosecutor,
Madras High Court,
Chennai.
3. Learned Judicial Magistrate, Thiruvottiyur
4. The Superintendent of Prison,
Central Prison, Puzhal



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Crl.OP.No.12648 of 2025

SUNDER MOHAN, J.

skr

Crl.OP.No.12648 of 2025



WEB COPY



CrI.OP.No.12648 of 2025

24.04.2025